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SOME RECENT LITERATURE UPON A LEAGUE
TO ENFORCE PEACE.

MARGARET JOURDAIN.

WHEN Emperor Alexander I, almost exactly a century ago, proposed an Universal Alliance, Lord Castlereagh replied that "the problem of a Universal Alliance for the peace and happiness of the world has always been one of speculation and hope, but it has never yet been reduced to practice, and if an opinion may be hazarded from its difficulty, it never can." The difficulty is fairly well recognised; some thinkers, such as Mr. Alison Phillips, make no doubt about its impossibility; what has drawn the question out of the academic debating room is the fact that the idea of a League of Nations has been blessed in the years of war by the highest authorities in public life, both in England, France and America. While some Continental pacifists, like Fried and Otlet, have published valuable schemes, discussion in England and America has mainly centred round Lord Bryce's project for a treaty. Lord Bryce's scheme was drafted two years ago, and published for the first time in the *Manchester Guardian* of April 12; and in book form, *Proposals for the Prevention of Future Wars*,¹ shortly afterwards, but its outlines had been made familiar for a considerable period before its publication by the propaganda of the League to Enforce Peace and the League of Nations Society. The proposals are limited to a practical minimum, and favourable criticism concerns itself chiefly with the possibility of setting up something a little more radical and comprehensive than this mechanism, and doubts as to whether the mechanism, if set up, will work in practice without an executive.

Even a critic like Lord Bryce, who states the obstacles in the way of International control, gives his opinion that the obstacles are not insuperable.

¹ London: G. Allen & Unwin, 1917.

"If the free peoples of the world really desired permanent peace, desired it earnestly enough to make it a primary object and to forego some of their own independence of action to attain it, the thing might be tried with a fair prospect of success. What is needed is the creation, not only of a feeling of allegiance to humanity, and of an interest in the welfare of other nations as well as one's own—what in fact might be called an International Mind—but also of an International Public Opinion, a common opinion of many peoples which shall apply moral standards to the conduct of other nations with a judgment biassed less than now by the consideration of the particular national interests which each nation conceives itself to have."²

The alternative is Canning's notion of a wholesome state of things in Europe, "every nation for itself and God for us all"; which seems to us all less wholesome now than it was even in Canning's day.

The International public opinion Lord Bryce speaks of is at present very difficult to foster when the press rarely steps outside the narrow national circle in which public opinion is bidden to "think imperially" or nationally. "The press is either an agent of the very government it should exist to criticise (it is so notoriously and admittedly on the Continent, and to an extent which we cannot measure also in this country) or it is, with a few honourable exceptions, an investment to make money for certain individuals or syndicates."³ An internationally-minded press seems a desideratum.

The Historic Argument against the League of Nations.

Two arguments are used against the League of Nations idea, firstly, that it is "visionary." It is difficult to give very much weight to this criticism. The Channel Tunnel has been described as "visionary": i.e., it does not exist, and very likely will never exist. But that is no reason

² Bryce, *Some Historical Reflections on War, Past and Present*, p. 27.

³ G. Lowes Dickinson, *The War and the Way Out*. London: The Chancery Lane Press. 1915, p. 13.

why a Channel Tunnel could not exist, from the engineer's point of view. Secondly, there is the historic objection, put very ably by Professor W. Alison Phillips, in the *Confederation of Europe* and in an article upon "President Wilson's Peace Programme" in the *Edinburgh Review*, April, 1917. He considers effective and peaceable co-operation between nations as impossible to-day as it was a century ago. A coalition of great Powers, a coalition *ad hoc* might be prepared to "enforce the principles which now stand unanimously acknowledged by the Second Peace Conference at the Hague," but it would be impossible to extend the coalition into an universal union based on "the general right of the world organisation to coerce its refractory members."⁴ For what would become of the sovereign independence of nations and, especially the independence of small nations? "For, though international law recognises the equality of all sovereign states, no international system which should attempt to translate this theory into practice would survive." If, on the other hand, the voting power of the central "directory" were to be proportioned to the size and importance of its constituent states "the result would be precisely such a hegemony of the great Powers as was exercised by the Holy Alliance after 1815."⁵

The analogy of a proposed league of civilised nations to-day with the Holy Alliance is not sufficiently complete to warrant such a positive prediction. The Holy Alliance failed, why should not a new League of Nations, is Professor Phillips' contention. Nations are nearer to one another in structure and tendencies than a century ago. To-day Europe no longer consists of six great powers, and some minor states, but of two groups to which many of the minor states are attracted; and "it is easier to conceive of this amalgamation into a loosely knit league than to imagine their dissolution into their elements."⁶

⁴ *Edinburgh Review*, April, 1917.

⁵ *The Confederation of Europe*, p. 295; also article in the *Edinburgh Review*.

⁶ *Towards a Lasting Settlement*, ed. by C. R. Buxton. London: G. Allen & Unwin. 1915, p. 155.

A second criticism made by Professor Phillips is that "pacifists" propose to establish their international system on the preservation of the *status quo*, "indeed there is no other practical principle conceivable."⁷

That basis, however, is not the case of the advocates of a League of Nations, such as Mr. H. N. Brailsford, Mr. L. S. Woolf and others. The existence of a league to preserve peace will of course attempt to prevent the wars of conquest in which one nation overruns its neighbours' domain. But it does not necessarily present a barrier against change and expansion by settlement. The proposed Council of Conciliation would probably find its chief task in adjustment and rearrangement in certain areas.

The defect of Professor Phillips' attack is indicated by a passage in his *Confederation of Europe* in which he says that "The morality which inspires this (peace) agitation, moreover, shocks the consciousness of those, *happily the majority*, who still regard patriotism as the supreme political virtue and are not prepared to hold with the late Baron von Suttner that 'in any case the interests of humanity and of absolute right are superior to those of any one country.'"⁸

As to the question of the abrogation of the sovereign independence of nations; emphasis has frequently been laid upon the reluctance of independent states to submit to what has been called a coercive super-state. Lord Bryce speaks of the deep unwillingness of every nation, and especially a proud nation, to submit any part of its "rights" to the decision of an external tribunal. . . . "An American statesman, than whom there is none wiser anywhere, recently observed that one of the greatest difficulties the negotiator has to encounter is the displeasure of his fellow citizens at any concession, even when he feels his own cause to be none too strong, and believes his country would gain by the removal of friction. Nations seem to be as sensitive on what is called the 'point of honour' as were members of the *noblesse* in France and England three cen-

⁷ *Confederation of Europe*, p. 294.

⁸ *Confederation of Europe*, p. 13.

turies ago. They hold out against arrangements which individual men would accept.”⁹ The answer to this would be that the states, retaining the ultimate right of making war, would not cede their sovereignty even though they submitted to a Council of Conciliation.

The Programmes.

The programmes of the American League to Enforce Peace and the British League of Nations Society suppose an union of civilised states; distinguish between judicial settlement and conciliation, prescribe coercive military action by the leagued states against the state which fails to observe the programme. (The American draft does not provide for defence if a member of the League is attacked by an outsider or seceder.) The third point (No. 3 in the American and English League) is the vital one, because it binds the signatories to use force if necessary, and so lifts the whole matter out of the region of speculation.

The central idea of the projects, both English and American, is the turning of a solid, united resistance against the aggressor. The idea is an obvious one: “Let all the states,” wrote M. Nobel to the Baroness von Suttner, “undertake solidly to turn against the first aggressor. Then wars would become impossible, and even the most quarrelsome state would be forced to appeal to a tribunal or keep quiet.”¹⁰ These schemes give us for the first time an objective test of aggression and enable us by means of it to limit the scope of alliances to an honestly defensive purpose.¹¹

The two programmes with Lord Bryce’s “Treaty” are really a minimum programme, designed to carry the moderates with them. Lord Bryce speaks of the scheme as dealing with only one branch of a very large subject, and

⁹ Bryce, *Some Historical Reflections on War, Past and Present*. Being portions of two Presidential Addresses delivered to the British Academy, June, 1915, and July, 1916. London. 1917.

¹⁰ Suttner, *Memoiren*, p. 272.

¹¹ *Towards a Lasting Settlement*, p. 158.

of those who drafted it as "duly sensible of the obstacles to be overcome before even these limited and tentative proposals could be likely to find acceptance with those who direct the policy of states."¹² They have been careful to avoid the chief difficulty which became apparent in the discussions as to the institution of a permanent court,—the question of the *ultimate power of the Court*. If the Court were to have authority to settle every dispute, instead of the authority to offer advice, it is obvious that there would be hesitation on the part of governments in placing the fortunes of their people in the power of the Court. Experience has shown that even among the nations which are most ready to accept the principle of arbitration, hardly any of them have consented to give themselves over absolutely into the hands of a tribunal. They have generally reserved specifically questions affecting national honour and vital interests.

Membership of the League.

It is commonly postulated that membership of the League must be open to all civilised sovereign states; but that the League have the right to expel any state that had violated its constitution. This opens the question as to what states are civilised. Japan is admittedly civilised, but could China be so considered? A limited League of Peace, consisting of a few nations, would not differ substantially from other defensive alliances; its defensive character would be suspected by nations outside the League who would tend to coalesce into a counter alliance.

The Prospects of a Small League.

Some internationalists expect the universal League to come by degrees, preceded by a League of liberal nations such as Great Britain, France and the United States,¹³ perhaps with Switzerland, Italy, Holland and the Scandinavian countries. As stated above, a counter alliance would probably be formed, and if such a powerful state as

¹² *Proposals for the Prevention of Future Wars*, p. 7.

¹³ So J. M. Beck, *The War and Humanity*. London: G. P. Putnam's. 1917.

Germany was not included, this "outlaw" would compel the liberal alliance to maintain such a powerful defensive force that much of the advantages of the League would be neutralised. Germany would intrigue incessantly to detach members from the League; and the United States would probably never remain in an alliance from which Germany was excluded.

The Cooling-off Time.

Each member of the League will pledge itself to a certain period of delay, in order to allow of the discussion of every dispute submitted to the Court or Council of Conciliation. That is the minimum on which any League of Peace can be founded. American writers commonly refer to this as the "cooling-off time," and consider it generally favourable to conciliation. The period of delay is usually defined as one year from the date of the submission of a dispute to the Council. Of course, such a concession presents obvious difficulties. "Some disputes arise from continuous injuries so serious that they must be suspended while they are examined by Court of Arbitration or a Council of Conciliation. No power will wait a year for justice if the offender continues to repeat his aggression, or completes a wrong whose beginning was already an offence. The Court or Council must be always in being to issue a preliminary injunction in urgent cases before the question of principle is debated."¹⁴ But, these acute questions apart, delay will often make the difference between peace and war. "What precipitated the present war was first the ultimatum of Austria with its forty-eight hour limit, and then that of Germany, with its twelve hour limit. The war was rushed."¹⁵ Mr. J. A. Hobson, speaking of the Permanent International Commission concluded in the autumn of 1914 by the United States of America with Great Britain and France (in which Reports are to be furnished by an International Commission within a year

¹⁴ *Towards a Lasting Settlement*, p. 160.

¹⁵ G. Lowes Dickinson, *After the War*. London: A. and C. Fifield. 1915, p. 31.

from the beginning of the investigation), writes that the year's delay "exerts a cooling and a healing effort, allowing time for the facts disclosed by a full and impartial inquiry to make their right impression on the intelligence of the disputants."¹⁶ Of course the value of mere delay can be overestimated. The assumption is that nations will rarely go to war on a cool and reasoned view; and that the "cooling-off time" will promote a wise and reasoned view. But, writes Mr. Brailsford, both assumptions are questionable. "Some nations will cherish for a generation the project of some necessary change, scheme and arm for it for the inevitable struggle, bend all their minds to it and march with full knowledge into a war of which the last details have been thought out. This is what Bulgaria did in 1912 against Turkey in order to win Macedonia, and no moratorium would have cooled her perfectly cold and deliberate resolve."¹⁷

The Action of Members of the League in Relation to Recalcitrant Members.

Doubts will arise whether the parties to the League can be trusted to fulfil their respective obligations, except when it is their interest to do so. Cases might be imagined in which some member or members of the League, having at the moment nothing direct to gain by supporting the policy of the League, or through unwillingness or unreadiness to fight, or through the hope of some advantage to themselves might be induced to stand aside. "The ultimate benefit of mutual protection and of the repression of any disturbance of the general peace may be admitted. But in politics the avoidance of a near evil is usually preferred to the attainment of a more remote good, for all can recognise the former and only those of large minds and large views can appreciate the latter."¹⁸

A method of securing decision may be to make the statu-

¹⁶ J. A. Hobson, *Towards International Government*. London: George Allen & Unwin. 1915, p. 51.

¹⁷ *A League of Nations*. London: Headley Bros. 1917, p. 291.

¹⁸ Bryce, *Some Historic Reflections on War*, p. 26.

tory obligation of the League very drastic—"to exact from all its members the pledge that in the event of a breach of its fundamental provision they will, if necessary, go to war against the offender."¹⁹ This is the basis both of the American League to Enforce Peace and of the British League of Nations Society. No executive has, however, been provided, in the published schemes, and if the action of each member is left to its own interpretation, there would be disputes such as those mentioned by Mr. Brailsford: *i.e.* (1) Will any Power really promise to take an active part in coercing an ally?²⁰ (2) Will a small and exposed European state, such as Denmark, make war (if the case should arise) on Germany? (3) Will the non-European members interfere in every European war, and *vice versa*? Is it, for example, likely that Japan or the Latin-American Republics will promise to share in every common war in Europe? Mr. Brailsford²¹ suggests the following formula:

"When a breach of the fundamental obligation of the League is threatened, the Executive of the League shall forthwith determine by what means, military or economic, its observance may be secured."

The International Executive.

The institution of an international executive authority with power to call into action the forces of the League when the occasion should arise, and to direct operations in its name is indicated in *The Prevention of Future Wars*,²² but the League, according to the draft, is not provided with an executive; it has a voice but no arm. Most critics are agreed that there must be an international executive, entrusted with the powers requisite for the execution of international mandates quite apart from and distinguished from the members of the Council of Conciliation and the Court of Arbitration, for "the very qualities for the performance of this judicial and conciliatory work are defects

¹⁹ *A League of Nations*, p. 295.

²⁰ The tendency of the League would, however, be to weaken special alliances.

²¹ *A League of Nations*, p. 296-297

²² *The Prevention of Future Wars*, p. 16-17.

for the performance of executive duties." It is evidently of the utmost importance that an International Executive . . . should consist of members who are in direct touch with the public sentiments of their countrymen." All internationals are agreed upon the importance of the members of the Executive. The representative of each Power would be "a more important personage than the Foreign Minister," and in touch with his Cabinet. The executive would thus be a cabinet of the cabinet of the Great Powers.

Mr. Brailsford suggests a fixed seat for the Executive, Constantinople, if any sort of international *régime* is established there, Berne, or Geneva, in neutral Switzerland; or the Hague, which has some associations. The military and naval, legal and commercial *attachés* would form an advisory general staff for the League.

The League executive might act in various ways in relation to a recalcitrant member, by using the weapon of a temporary boycott or embargo against one or both the disputants. A whole series of such measures can be conceived, differing in their severity and in their application to different cases: *e.g.*, an embargo on the shipping of the recalcitrant state; a prohibition of loans to it; cutting it off railway, postal, telegraphic and telephonic communication; prohibition of exports to or imports from it, supported if necessary by what international lawyers call a "pacific blockade";²³ (2) supporting one party, (3) holding the ring, and limiting the quarrel; or reminding the allies of the warring states that it expects them to remain neutral, or to give their support to such common measures as the executive may prescribe in accordance with the undertakings which each of them has given on its entry into the League.

The Council of Conciliation.

The question of the composition and procedure of the Council of Conciliation has been studied in detail by the Fabian Society. The project of a standing Council of

²³ *Proposals for the Prevention of Future Wars*, p. 17.

Inquiry and Conciliation for non-justiciable disputes is a contribution towards International control. Members of the Council are to be appointed for fixed times; and are not to be hampered by instructions from their Government, differing thereby from diplomatists at the old diplomatic congresses and conferences summoned for the occasion. What is required is a standing body of sufficient prestige and character to take action as a whole, upon its own initiative, in cases of actual or impending differences, and to offer its advice in the form of a public report. As to the bases of representation, a simple proposal is that the eight Great Powers shall each send three representatives, and other civilised states one each, but by that "Italy and Japan would be over-represented and Spain under-represented."²⁴ By this scheme the Entente would have a permanent majority, commanding 20 votes.²⁵ It is also obvious that Montenegro is over-represented, as compared with Spain. The neutral votes would be ten.²⁶ A possibility would be to give Italy, Japan and Spain two votes each, thus reducing the Entente majority.

To ensure the efficient working of the Court of Arbitration and the Council of Conciliation, it seems requisite that some joint Standing Committee representing both bodies should watch the rise of controversies and differences and in default of an appeal from one or both parties concerned, should take the initiative by inviting them to submit the matter to arbitration or the Council of Conciliation.

Is International Force Justifiable?

Assuming a number of states, including a majority of the great Powers, are willing to enter a League, and agree to submit any disputes either to arbitration or to a Council of Conciliation. They agree to accept the award on arbitrable issues; they also agree to a cooling-off period while submit-

²⁴ *A League of Nations*, p. 306.

²⁵ Great Britain, France, Russia, Italy, Japan = 15. Belgium, Serbia, Roumania, Montenegro, Portugal = 5.

²⁶ United States = 3, Holland, Switzerland, Sweden, Norway, Denmark, Spain, Greece.

ting non-arbitrable questions to the Council of Conciliation. We may ask whether the finding of the Council is likely to be carried out, and whether the moral and intellectual sanction for the fulfilment of the treaty obligations would suffice. Some pacifists rely on public opinion and conscience of the civilised world as a sufficient sanction, and even a statesman such as President Taft, writing before the war in support of a Court of arbitral justice, states the issue thus: "But the query is made, 'How will judgments of such a court be enforced? What will be the sanction for their execution?' I am very little concerned about that. After we have gotten the cases into Court and decided and the judgments embodied in a solemn declaration of a court thus established, few nations will care to face the condemnation of international public opinion, and disobey the judgment. *When a decision of that Court is defied it will be time enough to devise methods to prevent the recurrence of such an international breach of faith.*"²⁷

Now, the existence of this war has definitely weakened the current faith in the plighted word of nations, and in the restraining power of public opinion. Generally, the abler writers such as Mr. Hobson and Mr. Brailsford, are for enforcement by international power. In the existing rudimentary condition of the society of nations, it would seem necessary to secure the integrity of the treaty by express provisions for its enforcement, but some idealists object to the coercive element of force, and the sanctions of moral force and reason are degraded and impaired by placing in the background a sanction of physical coercion.

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²⁷ *The United States and Peace*, p. 150.